

Application Serial No. 10/522,450
Amendment dated: March 15, 2006
Reply to Office Action of December 15, 2005

The following listing of Claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-24. (Cancel)

Claim 25 (New) A surgical instrument (10) for passing a material into a body in a minimally invasive procedure comprising:

a first member (12) having a longitudinal section (16) defining a longitudinal axis and an arcuate section (18) extending distally from the longitudinal section, the first member comprising a hollow outer tubular member; and

a stylet (14) at least partially movable within the outer tubular member and engageable with a material to pass the material within the body;

wherein a proximal portion (36) of the arcuate section curves away from the longitudinal axis in a first direction and defines a first radius of curvature (R1),

wherein a portion (38, 40) of the arcuate section distal of the proximal portion (36) curves toward the longitudinal axis in a second direction and defines a second radius of curvature (R2, R3).

Claim 26. (New) The surgical instrument as recited in claim 25, wherein a distal portion (40) of the arcuate section has a third radius of curvature (R3), different from the second radius of curvature (R2).

Claim 27. (New) The surgical instrument as recited in claim 26, wherein the portion of the arcuate section distal of the proximal portion (36) has a central section (38) and a distalmost section (40), the central section having the second radius (R2) and the distalmost section having the third radius (R3), the second radius (R2) being larger than the third radius (R3).

Claim 28. (New) The surgical instrument as recited in claim 26, wherein the portion of the arcuate section distal of the proximal portion (36) has a central section (38) and a distalmost section (40), the central section having the second radius (R2) and the distalmost section having the third radius (R3), the second radius (R2) being smaller than the third radius (R3).

Claim 29. (New) The surgical instrument as recited in claim 25, wherein a portion of the distal section extends across the longitudinal axis in the second direction.

Claim 30. (New) The surgical instrument as recited in claim 25, wherein the stylet (14) is flexible.

Claim 31. (New) The surgical instrument as recited in claim 25, wherein the stylet (14) includes a slot (28) at a first end (26) for receipt of an end of the material.

Claim 32. (New) The surgical instrument as recited in claim 25, wherein the stylet (14) includes a conical tip (24) at a second end.

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Claim 33. (New) The surgical instrument as recited in claim 32, wherein a diameter (d3) of the conical tip (24) is greater than an inner diameter of the outer tubular member.

Claim 34. (New) The surgical instrument as recited in claim 25, wherein the outer tubular member (12) has a handle (20) at a proximal end (22) thereof.

Claim 35. (New) The surgical instrument as recited in claim 34, wherein the handle has a laterally extending portion (44).

Claim 36. (New) The surgical instrument as recited in claim 35, wherein the arcuate section (18) defines a first plane and the laterally extending portion defines a second plane substantially perpendicular to the first plane.

Claim 37. (New) The surgical instrument as recited in claim 25, wherein the material comprises a generally flat tape (50).

Claim 38. (New) The surgical instrument as recited in claim 37, wherein at least one end (54) of the tape (50) is cut at an angle for ease of threading the tape into the stylet.

Claim 39. (New) The surgical instrument of claim 37, wherein the tape (50) includes multifilament strands.

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Claim 40. (New) The surgical instrument of claim 37, wherein the tape (50) includes polypropylene strands.

Claim 41. (New) The surgical instrument of claim 25, wherein the material includes a generally flat tape (5) and the stylet (14) has a proximal end (26) adapted to receive an end (54) of the tape.

Claim 42. (New) The surgical instrument of claim 41, wherein the stylet is positioned in the tubular member (12) so that the proximal end (26) of the stylet is located adjacent a proximal end (22) of the tubular member.

Claim 43. (New) The surgical instrument of claim 25, wherein the stylet (14) has a distal end that is blunt.

Claim 44. (New) The surgical instrument of claim 43, wherein the distal end comprises a blunt conical tip (24).

Claim 45. (New) The surgical instrument of claim 25, wherein the stylet has a distal end that is sharp.

Claim 46. (New) The surgical instrument of claim 37, wherein the tape includes an absorbable material.